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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 MITCHELL ADAM CHIRCHICK,

9 *Petitioner,*

10 vs.

11 BRIAN E. WILLIAMS, *et al.*,

12 *Respondents.*  
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2:10-cv-00745-GMN-RJJ

ORDER

15 In connection with petitioner's motion (#8) for reconsideration, styled as a petition for  
16 rehearing, which has been filed within the time period for seeking relief under Rule 59 of the  
17 Federal Rules of Civil Procedure,

18 IT IS ORDERED that, within **forty-five (45) days** of entry of this order, **respondents**  
19 shall enter a notice of appearance and shall file and serve a response to the motion. The  
20 response – subject to the proviso below – shall be accompanied by the relevant portion of an  
21 appropriately redacted copy of the prison legal mail log from within the period from April 27,  
22 2011, through February 8, 2012, with a covering declaration or affidavit by a records  
23 custodian with personal knowledge as to the presence or absence of relevant entries. If there  
24 are no entries in the log reflecting that a mailing that could contain a copy of the Court's April  
25 27, 2011, order was available to be received and/or was received by petitioner, then the  
26 records custodian simply can so attest in the declaration or affidavit without the need to attach  
27 what then merely would be a completely redacted copy of pages from the log. No response  
28 otherwise is required from respondents other than to respond as above.

1 IT FURTHER IS ORDERED that petitioner may file a reply to respondents' response  
2 within **thirty (30) days** of service of the response.<sup>1</sup>

3 DATED this 15th day of February, 2012.

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7 Gloria M. Navarro  
8 United States District Judge  
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25 <sup>1</sup> In the motion for reconsideration, petitioner requests that, if the matter is reopened, he be given 120  
26 days to file an amended petition in response to the Court's prior order. The Court typically does not grant  
27 more than 30 to 60 days to amend a petition. Petitioner therefore may find it prudent to begin work on an  
28 amended petition in the interim without waiting to find out whether or not his motion for reconsideration will be  
granted. The Court notes in this regard that the docket entry for the motion for reconsideration reflects that  
the Clerk sent petitioner another copy of the order (#4) directing the filing of an amended petition. If the Court  
ultimately grants the motion for reconsideration and reopens the matter, it likely will allow petitioner 60 days  
from entry of such order within which to file an amended petition. At present, however, the Court has not  
rendered a decision on the motion for reconsideration, and that motion remains pending.